

From: ["Zach Welcker" <ZWelcker@kalispeltribe.com>](mailto:ZWelcker@kalispeltribe.com)  
To: ["Khatibi, Mehrdad" <khatibi.mehrdad@epa.gov>](mailto:khatibi.mehrdad@epa.gov)  
Date: 7/13/2017 10:45:03 AM  
Subject: Supp Info 5

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May 30, 2017

Honorable Glen Nenema  
Chairman, Kalispel Business Council  
Kalispel Tribe of Indians  
P.O. Box 39  
Usk, WA 99180

RE: Class 1 Redesignation Pend Oreille County Economic Analysis

Dear Chairman Nenema:

As a follow-up to our recent conversations with Deane Osterman and his staff we have attached a copy of a recent economic analysis prepared for Pend Oreille County. This analysis was prepared in September of 2016 Washington State Employment Security Regional Labor Economist, Doug Tweedy. As you know, Pend Oreille County has historically suffered double digit unemployment numbers and has been slow to come out of the recession. There are encouraging opportunities for growth on the horizon however it has been slow development with a higher level of poverty and an aging workforce. Many find themselves commuting to bigger towns nearby within an hour drive to find livable wage jobs.

We respectfully request that this document be included as an addendum to the Technical Report prepared in support of the Tribe's request for redesignation of the Kalispel Reservation as a Class I area under the provisions of the Clean Air Act. Unfortunately, the Technical Report is based on an assessment of an economic area that predominately reflects the economic prosperity being realized in the city and county of Spokane and does not accurately reflect the economic conditions and challenges that we face in Pend Oreille County. While Spokane is experiencing population and economic growth, Pend Oreille County, including the Kalispel Reservation is not. We continue to have one of the highest unemployment rates in the state and one of the lowest per capita income levels.

As we previously noted, the Technical Report also fails to address the perilous economic situation that the Pend Oreille County government faces. Simply stated, the general fund budget of Pend Oreille County is over \$10 million dollars a year, and their annual revenues are closer to \$9 million a year. Over the past four years the County's operating expenses have increased by over thirty percent and our revenues have increased by two percent. This is clearly not a sustainable situation and the County must actively attract new private investment if the County is to sustain basic



services. Our ability to attract new businesses to our community is critical to our future well-being and we want to make sure that there is no misunderstanding about our economic condition and the many challenges that we face in our efforts to establish a more secure economic future. Your support in setting the record straight is greatly appreciated!!

Sincerely,

Jamie Wyrobek  
Director  
Pend Oreille County EDC

CC: County Commissioner Mike Manus  
County Community Development Director Greg Snow  
Ray Pierre, EDC Chair  
Deane Osterman, Kalispel Natural Resource Department Director  
Zach Welcker, Kalispel Natural Resources Department

From: (b) (6)  
To: [AirQuality <AirQuality@kalispeltribe.com>](mailto:AirQuality@kalispeltribe.com)  
Date:  
Subject: Comments regarding Class 1 Air Quality designation

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I would like to provide you with my point of view regarding the proposed redesignation from Class 2 to Class 1 air quality categories. Although we should constantly strive to improve the condition of our entire environment, I feel this change imposes restrictions reaching far beyond the simple discharge limits of present facilities and resources. Regardless of where you draw boundary lines, this is a Federal Standard, to be upheld. If limits (present or proposed) are exceeded, steps would be absolutely mandated to correct the situation. Just one example: Let's say Ponderay Newsprint decided to put in a Co-Gen Plant, so they could generate electricity, rather than drawing on Hydroelectric power at their present rate. More water then becomes available, to flush and support our continued efforts to improve Salmon movements and habitat. But wait...Co-Gen, as studies show, creates air discharges. Sorry, no Co-Gen for Ponderay Newsprint. Instead of looking at the big picture, we choose tunnel vision and come up with untenable solutions. (Like...yes, you can have Co-Gen, but you have to shut down half of your production, so as not to exceed present discharges). So who "won" there?

Your latest fact sheet, addressing many public concerns, also reiterates that existing practices are "Grandfathered", with present levels of SO<sub>2</sub>, NO<sub>x</sub>, Particulates, etc. being acceptable. However, as a Federal Standard and classification, if particulate matter exceeds Class 1 margins, required steps are mandated, and cannot be shoved aside. Without digressing into the whole original study that looks into a very large region, (Most of which it also states doesn't apply to our unique geographic area), the bottom line is that accurate measurement of air quality in a Class 1 area dictates everything that has effect on that designated area. So, it would be virtually impossible to ignore any factors that would take the Class 1 area out of compliance. By Law, steps would be required, to bring all discharges back down, to stringent Class 1 levels. These specific steps would not be dictated by the Federal Government, unless we did not come back into compliance to the Class 1 Standards. Initially, it would be US who decides what activities to limit or shut down. Would that be Logging? Travelling dirt roads? Shutting down 200+ local jobs, and the tax base they pump up? Restricting vehicle travel, or setting up emission testing? Etc.

It would be in our hands, to try to achieve the new, much more restrictive standards. Are we choosing to ignore the releases of Hanford radioactivity into our air and water? Some of that has a half-life of 250,000 years! Bottom line for me: I feel that our present Class 1 designation is restrictive enough to support quality of life in Pend Oreille County. Once again, I recognize any efforts to improve our habitat. I also think that the present systems within that classification allows accommodations for growth, a supportive tax base, employment, as well as leeway for adapting what we do to improve present air quality. Stepping into a much more restrictive designation disallows the freedom to weigh what we choose to do, and also relinquishes our ability to govern our very unique geographic region. Thank you.

(b) (6)

From: ["Mike Lithgow" <MLithgow@kalispeltribe.com>](mailto:MLithgow@kalispeltribe.com)  
To: ["Ken Merrill" <kmerrill@kalispeltribe.com>](mailto:kmerrill@kalispeltribe.com)  
Date:  
Subject: FW: air Public comment - (b) (6)

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FYI

Mike Lithgow  
Information and Outreach Coordinator  
Kalispel Tribe Natural Resource Dept.  
P.O. Box 39  
Usk, WA 99180  
Desk: 509-447-7435  
Cell: 509-370-8794  
Email: mlithgow@kalispeltribe.com

-----Original Message-----

From: (b) (6)  
Sent: Thursday, April 13, 2017 9:23 AM  
To: Mike Lithgow  
Subject: Public comment

April 13, 2017

From: (b) (6)

Regarding:

The Kalispel Tribe of Indians' redesignation from current Class 2 status to Class 1.

To whom it may concern;

I am pleased to have the opportunity to support The Tribe in their efforts to further protect the quality of our air, our water, land and our quality of life in Pend Oreille County. They have been continual community leaders, respecting and helping their neighbors at every turn. I salute them once again in their efforts to step up and do what they can to protect both our environment and the quality of life for today and for generations yet to come.

The typical argument against protecting our environment is based on fear of the impact on jobs. I ask you, what good are jobs if the very quality of our lives, our health and our children's health, is undermined in the process? Yes, the prospect of certain short term opportunities must be scientifically weighed, but with an eye to our long term sustainability, our health dependent on a healthy environment. If Pend Oreille has anything going for it, it is its quality of life. It is our duty to protect it. It is our duty to seek out future employers who are looking for that quality of life for their employees as well, no matter what part of the county they may be looking to locate themselves. There are companies looking for just that. I am not speaking against any particular company here, but that we strive to protect our future, which means taking any steps we can to protect our environment and by extension, our quality of life. I put environment first in that last sentence because, without a sustainably healthy environment, the possibility of quality of life is forfeited, for today and into the future.

I'd like to thank you once again for this opportunity to speak up and to support our good neighbors, The Kalispel Tribe of Indians, in their efforts to change designation. In honoring their intentions to remain good neighbors and thoughtful community leaders, I urge you to do all in your power to grant this redesignation.

10/11/2018

Sincerely,

(b) (6)

Sent from my iPhone

From: ["Mike Lithgow" <MLithgow@kalispeltribe.com>](mailto:MLithgow@kalispeltribe.com)  
To: ["Ken Merrill" <kmerrill@kalispeltribe.com>](mailto:kmerrill@kalispeltribe.com)  
Date:  
Subject: Fwd: Class I Redesignation Comment - (b) (6)

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Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: (b) (6)  
Date: 4/13/17 8:38 PM (GMT-08:00)  
To: Mike Lithgow <MLithgow@kalispeltribe.com>  
Subject: Class I Redesignation Comment

April 14, 2017

Mike Lithgow  
Information and Outreach Coordinator  
P.O. Box 39  
Usk, WA 99180  
mlithgow@kalispeltribe.com

I write in support of the Class I Redesignation of the Kalispel Indian Reservation from a Class II to a Class I air quality area under the Federal Clean Air Act's Prevention of Significant Deterioration (PSD) program.

There are not enough opportunities in today's greed over our children's future to offer support for those who take positive action toward protecting our environment for generations to come.

Our family applauds your efforts to protect families in Pend Oreille County.

Please keep us informed about the progress of your efforts in this matter – (b) (6)

Sincerely,

(b) (6)

From: ["Mike Lithgow" <MLithgow@kalispeltribe.com>](mailto:MLithgow@kalispeltribe.com)  
To: ["Ken Merrill" <kmerrill@kalispeltribe.com>](mailto:kmerrill@kalispeltribe.com)  
Date:  
Subject: Fwd: Comment - Kalispel Tribe Class I air quality (b) (6)

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Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: (b) (6)  
Date: 4/10/17 6:50 PM (GMT-08:00)  
To: Mike Lithgow <MLithgow@kalispeltribe.com>  
Subject: Fw: Kalispel Tribe Class I air quality

Mike: Sorry for the error [address] on the prior message. (b) (6)

On Monday, April 10, 2017 6:48 PM, (b) (6) wrote:

Mike: I support the Tribe's redesignation for Class I air quality area under the Federal Clean Air Act. [PSD Program]. Any potential deterioration of air quality is not acceptable for the Tribe or our County.

I am not sure if you need our location in reference to tribal boundaries. Our farm is located approximately (b) (6) just off (b) (6)

Thank you.

(b) (6)



From: (b) (6)  
To: [AirQuality <AirQuality@kalispeltribe.com>](mailto:AirQuality@kalispeltribe.com)  
Date:  
Subject: Kalispel Tribe Clean Air Redesignation Request

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Kalispel Tribe:

I sent this to your email address, Congresswoman Rodgers and Pend Oreille County Supervisors yesterday but your email was returned.

Honorable Public Representatives:

Attached are my comments about the subject listed above. I have great respect for my neighbors at the Kalispel Tribe but I believe that this request is harmful to the other citizens of the County as stated in my letter.

Thank you for time and attention.

Regards,

(b)  
(6)

(b) (6)

(b) (6)

(b) (6)



April 6, 2017

To: Congresswoman Cathy McMorris Rodgers

Pend Oreille County Supervisors

Subject: Kalispel Tribe of Indians – Air Quality Redesignation Attempt

As a resident of Pend Oreille County and neighbor of the Tribe, I would like to express my view regarding the Air Quality Redesignation Request proposed by the Tribe. First of all I object to the lack of proper and reasonable notification of the Public Meeting scheduled for April 10<sup>th</sup> at the Tribal Headquarters in Usk. Had my neighbor not informed me of this meeting I would have had no awareness of it. It is my understanding that this notice was published in the local newspaper (The Minor) just yesterday (April 5<sup>th</sup>) alerting residents that written comments on the proposed Redesignation “must be submitted by April 7, 2017” and forwarded to the Tribe for collection.

Pend Oreille County is generally considered a rural area with two primary contributors to employment; manufacturing and Government. Government employment accounts for more than 50% of the jobs in the County and that is declining due to budget reductions. Manufacturing jobs are limited and include logging mills one of which is located in Usk and a close neighbor to the Tribal HQ. According to the Employment Security Department:

**The civilian labor force increased slightly in the first six months of 2016 to 4,737, from the same period in 2015 of 4,646 The number of employed residents showed an increase in 2016 to 4,276 (99).**

**The average unemployment rate in the first half of 2016 was 9.7 percent, down from 10.1 percent in 2015. *The county continues to have one of the highest unemployment rates in the state.* But things are improving as the drop in the unemployment rate was due to an increase in jobs.**

It seems to me that the Tribal Request is at odds with the overall good of the neighboring County area. Making the Air Quality Standards to Class 1 level could affect the Lumber Mills in the County and a paper manufacturing plant located only miles from the Tribal Headquarters. What impact would that have on an already high unemployment rate experienced County wide? Is the Tribe prepared to subsidize those businesses impacted by their request for cleaner air for Tribal Members? **It is my understanding that the Tribe does not pay any property taxes for their large real estate holdings in Pend Oreille County nor is any revenue generated by the Tribe taxed and realized by the County.**

All Americans want better quality air for themselves, family members and fellow citizens. The key question that needs to be addressed here is what cost will this have to the remaining citizens of Pend Oreille County. It is well documented that this County does not attract service oriented businesses at least historically speaking it has not. If this action is approved, what will the effect be on **already regulated businesses** that by the very nature of what they produce contribute particulates to the atmosphere? Since the Tribe effectively does not contribute to the County in monetary fashion they have nothing to lose by making this request. The only losers could potentially be their neighbors they allegedly embrace.

I look forward to receiving your response and hope that your actions support the constituency that voted you into office.

With respect,

(b) (6) [Redacted]

[Redacted]

[Redacted]

[Redacted]

From: (b) (6)  
To: [AirQuality <AirQuality@kalispeltribe.com>](mailto:AirQuality@kalispeltribe.com)  
Date:  
Subject: Kalispel Tribes Air Quality Control Change Proposal

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I am writing in total opposition to the Kalispel Tribes Air Quality Change proposal. Regardless of what the tribes intentions are for stopping the smelter plant from being built near reservation land. Changing to Class I AQC would adversely affect the residents outside the reservation. Rural citizens that rely on burning wood fuel to heat homes cannot be affected by broad sweeping regulations that are enacted because one entity is trying to protect interest their borders.

(b) (6)

(b) (6)

From: (b) (6)  
To: [AirQuality <AirQuality@kalispeltribe.com>](mailto:AirQuality@kalispeltribe.com)  
Date:  
Subject: Kalispel Tribes request to reclassify clean air act.

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My name is (b) (6). I am a (b) (6) resident and of (b) (6) Pend Oreille County.

I am writing this email in opposition of the Kalispel Tribe of Indians request to the US Environmental Protection Agency asking for a Clean Air Act reclassification from the present Class 2 air quality area to a Class 1 air quality area.

Pend Oreille County has become a depressed rural area due to the loss of industries. Industries create and sustain quality, stable jobs with the county and are already subject to EPA and Washington State Department of Ecology standards and guidelines. I do not believe it is the right of the Kalispel Tribe of Indians or any sole entity to determine my counties future.

By imposing this change I believe it would cause job loses, close down existing industries and impose a heavy burden on both the county residents and the local government by creating unneeded and costly inspections and increased taxes to cover the large amount of increased costs.

Pend Oreille County is a great place to live. It needs to re establish growth and be able to flourish through the building of industries and business throughout the county. These industries and businesses bring and retain families that support the county and towns infrastructure, emergency services, hospitals and schools.

Regards,

(b) (6)

From: (b) (6)  
 To: [AirQuality <AirQuality@kalispeltribe.com>](mailto:AirQuality@kalispeltribe.com)  
 Date:  
 Subject: Opposition to Clean air quality change to class 1

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To whom it may concern,

I, (b) (6), (b) (6), oppose to the Kalispel Tribe attempt to enforce regulations upon my private property. As a tax payer, private property owner, farmer and timberland owner the right to pursue the lifestyle that is based on natural resources could be hindered by a more stringent air quality act. Since our agricultural land needs to be maintained through plowing, and diseased or dying timber to be managed through burning as a fuel or slash burning, your proposed new classification may infringe on my pursuit of a managing our property. Since I have had two days to see this report and no time to confirm the stats and their email links or the contributing entities, I will rebuttal statements with my past knowledge and experience. and to put forth questions that should be answered in public not in a single email to me. I am requesting full disclosure.

Statement from Kalispel Tribe Techincal Report on Air quality Reclassification will be refered to as Kalispel Tribe Air Class Redesignation (KTACR) below:

#### "1.1 Purpose and Objectives

The Kalispel Tribe of Indians (Tribe) is considering requesting reclassification of tribal lands to "Class I" status under the Clean Air Act Prevention of Significant Deterioration (PSD) program. Only the primary Reservation lands near Usk (about 4,500 acres) are proposed for reclassification to Class I PSD status. Other lands owned by the Tribe external to the primary reservation, such as the Airway Heights hotel and casino property, are not part of the proposed "

My rebuttal statements and questions to above (KTACR):

Class I reclassification." Since the area included in the new designation area "100" mile radius does include Steven, Spokane, and Pend Oreille county, how can all lands around the reservation land, the Casino, be made to comply and the Casino reservation land not be required to comply ? Air quality in smoking facilities would not pass lower classifications.

Statement from (KTACR) page 12:

#### "Climate Change

The Washington Climate Change Impacts Assessment (CIG-UW, 2009) presents climate scenarios from global climate models that predict that annual average temperatures in the Pacific Northwest may increase by 2.0°F by the 2020s, 3.28°F by the 2040s, and 5.3°F by the 2080s (relative to the 1979 through 1999 average temperatures). Snowpack is projected to decrease by 28 percent across the state by the 2020s, 40 percent by the 2040s, and 59 percent by the 2080s (relative to the 2006 through 2014 average). Due to increased summer temperatures and decreased summer precipitation, areas burned by wildfires will likely increase through the next few decades."

My rebuttal statements and questions to above (KTACR):

These blanket statements is based on what? No one can predict the future.

<https://friendsofscience.org/index.php?id=711#UHI> Myth explained of global warming. This site tells of the myth that has been perpetrated about global warming. More and more scientists are debunking this myth.

Statement from (KTACR) 2.0 pages 2-1 to 2.2.

There are many "hypothetical" statements within this technical report that I question. The "Hypothetical" energy plant pages. Are these to put in to drive away possible new industry as the inserting of the name of a Hi-Tech was?

Statement from (KTACR) below:

"4.4.2.3 The Potential Economic Benefits or Costs of Blocking the Permitting of an Industrial Facility  
The Class I designating does not categorically ban any particular type of industrial operation. It focuses instead on whether a facility's emissions would violate Class I increments. Industrial facilities have a broad range of technologies they can deploy for their production processes and to control their air pollution emissions. Industrial facilities also control where to locate and the scale of production to pursue. Those business choices will determine the impact that the operations will have on air quality both at the facility and an area beyond the facility. Complying with regulations restricting air quality impacts is part of the business analysis that guides a business to consider particular technology choices, scale of production, and particular locations for their operations. Environmental restrictions are part of a broad range of economic considerations a new facility evaluates."

My rebuttal statement cr (KTACR):

Hypothetical and not fact should not be a basis for reports. Page 4-4 Table 4-3 Predicted ..... but states past years results in the table. It can not be both predicted and based on the past, that is not logical.

There are pages of hypothetical industry information has been used are us

Statement from Kalispel Tribe Techincal Report on Air quality Reclassification will be referred to as (KTACR) below:

Figure 10, no page number 24-hour Particulate Matter Average chart

My rebuttal statement cr (KTACR):

This chart has 1 report for 2006, 2 for 2007, 2 for 2008, 1 for 2009, 1 for 2010 and 2 for 2011. So for a 5 year period there are 9 samplings to base a major conclusion on. Statically this does not seem accurate enough. If future samplings are done as infrequent, the conclusions can be swayed with only reporting certain 24-hour periods. Times of the day, weather conditions all play a part in determining particulates in the air, for instance was it snowing or raining and since there is so much more rain in this area as compared to the southern county information referred to in other parts of this report, the air is cleaned naturally more often.

Chart 13 listed as page 2 of 2 lists tons of particulates by industry, wood stoves, etc. but does not include US. Forest Service or Kalispel under burning as a contributor to air quality particulates. Why is this non reporting possible? Lack of information changes the outcome

3-4 PSD (Prevention of Significant Deterioration) Baseline chart has 4 samplings.

My rebuttal statement (KTACR):

I did sampling for years and never was a major determination for a statical report done on so few samples as these charts are using. I did hundreds per year over time to get as accurate as any analysis can be. Stats can easily be manipulated by deleting samples to as I said before sway the outcome.

Statement from (KTACR) page 43 below:

"5.0 Conclusion

Redesignation will also provide a variety of off-Reservation environmental and socioeconomic benefits and is expected to have minimal, if any, negative impacts on the economic



vitality of the surrounding area. "

A business has already relocated, no doubt partially due to the more stringent air quality requirements the Class 1 air quality classification looming over head. "

Statement from Kalispel Tribe Technical Report on Air quality Reclassification will be referred to as (KTACR) page 43 below:

"Appendix Defining Area Which Kalispel Tribe is Embedded page 63

"There are three industrialized areas within approximately 50 km (31 miles) of the Kalispel Reservation. One is northern Spokane County; another is the Colville-Kettle Falls area of Stevens County; and the third is the Sandpoint area of Bonner County, Idaho. Given prevailing winds, the Kalispel Reservation tends to be downwind from pollution sources in Stevens and Spokane Counties and upwind from pollution sources in Bonner County. For that reason it is more likely that expansions of industrial activities in Pend Oreille, Spokane, and Stevens Counties might threaten air quality on the Kalispel Reservation than expansions of industrial activities in Bonner County to the east of the Reservation and across two mountain ranges."

My rebuttal statement to above declaration of attempted control of industries in 2 states and three counties by this redesignating classification of air quality to those of national parks and wilderness areas is totally against community growth, jobs, and progress. Vaagen Bros Lumber in Usk, Pend Oreille Newsprint, among others, are named in this tech report. Will they now be under extreme air quality rules?

In conclusion there are air quality laws in place now that if enforced will do more good. I see no mention of the health problems caused by cigarettes, and drugs in this technical report which contribute to unhealthy lives and death. Once again leave out certain things and the stats will be lean the way the stat keeper wants.

Thanks,

(b) (6)

From: (b) (6)  
To: [AirQuality <AirQuality@kalispeltribe.com>](mailto:AirQuality@kalispeltribe.com)  
Date:  
Subject: Opposition to Reclassification of EPA Level 2 to Level 1

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I am greatly concerned about the Kalispell Tribe's proposed EPA reclassification from Level 2 to Level 1 for counties surrounding tribal land. Along with the below reasons, I have a very real concern about the possibility of limiting sanding of rural highways in the winter time. As it is, Hwy 291 from Suncrest to Hwy 231 is given priority level 4 from DOT. Because of the high volume of accidents on this stretch, \*more\* sanding and deicing is needed, not less. I am concerned that new restrictions will mean less winter maintenance for a stretch of highway that is already very dangerous.

Additionally, I am opposed to the reclassification of counties surrounding the Kalispell Tribe from Level 2 to Level 1 for the following reasons:

- Currently the County sands our roads in the winter. According to the DOE this can still be done but if there are problems with emissions meeting or exceeding the limits then the County must take action to reduce dust into the air (they already sweep either with water or when it rains, which helps eliminate the dust). If the County were to add more dirt roads, then other industries in the area would have to reduce their emissions output. This means increases in pollution controls for our existing businesses. Are these businesses going to stay if they have to make huge investments to keep operating?
- The Tribe's report talks about the Economic Region but that does not reflect Pend Oreille County alone – it uses generalizations which includes Spokane County which is growing. Pend Oreille County needs more businesses with living wages, not just minimum wage jobs. A re-classification can have an impact on Ponderay Newsprint, Vaagen's, Pend Oreille Mines and others that employ the citizens in Pend Oreille County.
- The report also states that there are approximately 400 Kalispel members, one third of which live on the reservation (roughly 133). Of this, 54% are under the age of 18 (72 approximate) which then leaves approximately 61 Kalispel adults making a decision that affects this entire County as well as our neighboring counties and states.
- The County revenues have increased in total 2% since 2012 but expenses have gone up 30%. Without new businesses to help offset this discrepancy we can expect either a reduction in county services and/or an increase in our taxes.

I don't know anyone who doesn't love our area including our water, forests and clean air and we want it to stay that way – the way it is now, which is Class 2. Most of us would love to have our kids grow up, live close, and be able to work in jobs which provide living wages (not minimum wage) and benefits. Without some common sense to this we won't be having new businesses even take a look at our County, and surrounding areas. Who is going to pick up the taxes for services that are needed to maintain law enforcement, medical services, and road department services if we don't increase our business climate and property values? It is going to be those of us who live in the county paying the property taxes. Drive out existing businesses and you will be picking up the cost of power as well.

Thank you,  
(b) (6)